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ANNOTATIONS TO THE PROVISIONAL AGENDA

Prepared by the Secretary-General

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Item 1. Election of officers

1. Rule 15 of the rules of procedure of the functional commissions of the Economic and Social Council provides that "at the commencement of its first meeting of a regular session the Commission shall elect, from among the representatives of its members, a Chairman, one or more Vice-Chairmen and such other officers as may be required".

Item 2. Adoption of the agenda

2. Rule 7 of the rules of procedure provides that "the Commission shall at the beginning of each session, after the election of its officers, ... adopt the agenda for that session on the basis of the provisional agenda".

3. The Commission will have before it the provisional agenda (E/CN.4/1997/1) prepared by the Secretary-General in accordance with rule 5 of the rules of procedure, as well as the present annotations relating to the items included in the provisional agenda.

Item 3. Organization of the work of the session

4. At its fifty-second session, the Commission decided, in its decision 1996/110, to recommend to the Economic and Social Council that, in the light of the positive experience gained by rescheduling the dates of the fifty-second session on a one-year trial basis, pursuant to the Council's decision 1994/297 of 29 July 1994, and bearing in mind Council decision 1995/296 of 25 July 1995, that the dates for the Commission's annual regular session be rescheduled to take place in March/April each year, instead of earlier in the year, and that, accordingly, the fifty-third session be rescheduled to take place from 10 March to 18 April 1997. The Economic and Social Council approved the recommendation in its decision 1996/294.

5. The attention of the Commission is drawn to the relevant resolutions concerning control and limitation of documentation (inter alia, General Assembly resolution 33/56 and Economic and Social Council resolutions 1981/83 and 1982/50). Furthermore, the Commission at its past 13 sessions set time-limits for statements (see E/1996/23-E/CN.4/1996/177, paras. 12-13). In view of the existing financial constraints and the overall reductions imposed, the session must be most carefully planned from the outset, bearing in mind the absolute need for maximum effectiveness in the use of the resources available.

6. The attention of the Commission is also drawn to Economic and Social Council decision 1996/295 of 24 July 1996, by which the Council, taking note of Commission on Human Rights decision 1996/111 of 23 April 1996, decided to authorize, if possible within existing financial resources, 40 fully serviced additional meetings, including summary records, in accordance with rules 29 and 31 of the rules of procedure of the functional commissions of the Economic and Social Council, for the Commission's fifty-third session. The Council approved the Commission's request to the Chairman of the Commission at its fifty-third session to make every effort to organize the work of the session within the times normally allotted, so that the authorized meetings would be utilized only if absolutely necessary.

7. The attention of the Commission is also drawn to Economic and Social Council resolution 1990/48 of 25 May 1990 in which the Council authorized the Commission to meet exceptionally between its regular sessions, provided that a majority of States members of the Commission so agreed. In this connection, the Economic and Social Council adopted, on 28 July 1993, decision 1993/286 on the procedure for special sessions of the Commission on Human Rights.

Working groups

8. The session is preceded by meetings of the eight inter-sessional and pre-sessional working groups referred to in E/CN.4/1997/1, paragraph 3 (a) to (h).

Composition of the Commission

9. The composition of the Commission for 1997 is the following. The term of membership of each State expires on 31 December of the year indicated in brackets.

Algeria (1997), Angola (1997), Argentina (1999), Austria (1999), Bangladesh (1997), Belarus (1998), Benin (1997), Bhutan (1997), Brazil (1998), Bulgaria (1997), Canada (1997), Cape Verde (1999), Chile (1997), China (1999), Colombia (1997), Cuba (1997), Czech Republic (1999), Denmark (1998), Dominican Republic (1997), Ecuador (1999), Egypt (1997), El Salvador (1997), Ethiopia (1997), France (1998), Gabon (1997), Germany (1999), Guinea (1998), India (1997), Indonesia (1999), Ireland (1999), Italy (1999), Japan (1999), Madagascar (1998), Malaysia (1998), Mali (1998), Mexico (1998), Mozambique (1999), Nepal (1997), Netherlands (1997), Nicaragua (1997), Pakistan (1998), Philippines (1997), Republic of Korea (1998), Russian Federation (1997), South Africa (1999), Sri Lanka (1997), Uganda (1998), Ukraine (1998), United Kingdom of Great Britain and Northern Ireland (1997), United States of America (1998), Uruguay (1999), Zaire (1999), Zimbabwe (1997).

Situation of human rights in Burundi

10. Pursuant to Commission resolution 1995/90, Mr. Paulo Sérgio Pinheiro (Brazil) was appointed Special Rapporteur with the task of drawing up, on the basis of all the information he considers relevant and his contacts with the Burundi authorities and population, a report on the situation of human rights in Burundi for submission to the Commission at its forty-second session. In its resolution 1996/1, the Commission decided to renew the mandate of the Special Rapporteur for one year and requested him to report to the General Assembly at its fifty-first session and to the Commission at its fifty-third session. The Commission decided to consider the situation of human rights in Burundi at its fifty-third session under the appropriate agenda item.

11. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1997/12 and Add.1). The Commission will also have before it the report submitted by the Special Rapporteur to the General Assembly at its fifty-first session (A/51/459).

12. The attention of the Commission is also drawn to resolution 1996/4 on the situation of human rights in Burundi, adopted by the Sub-Commission at its forty-eighth session (see E/CN.4/1997/2-E/CN.4/Sub.2/1996/41).

Situation of human rights in Colombia

13. In the statement on the situation of human rights in Colombia, agreed on by consensus by the Commission, made by the Chairman on 23 April 1996, the Commission, inter alia, requested the United Nations High Commissioner for Human Rights to proceed, upon the initiative of the Government of Colombia and the identification of adequate sources of financing, to establish at the earliest possible date a permanent office in Colombia with the mandate to assist the Colombian authorities in developing policies and programmes for the promotion and protection of human rights and to observe violations of human rights in the country, making analytical reports to the High Commissioner. It also requested the High Commissioner to report to the Commission at its fifty-third session on the setting up of the office and on the activities carried out by it in implementing the above mandate (see E/1996/23-E/CN.4/1996/177, para. 24).

14. The Commission will have before it the report of the United Nations High Commissioner for Human Rights (E/CN.4/1997/11).

Situation of human rights in the Republic of Chechnya of the Russian Federation

15. In the statement on the situation of human rights in the Republic of Chechnya of the Russian Federation, agreed on by consensus by the Commission, made by the Chairman on 24 April 1996, the Commission, inter alia, requested the Secretary-General to report on the situation of human rights in the Republic of Chechnya of the Russian Federation at its fifty-third session under the appropriate agenda item (see E/1996/23-E/CN.4/1996/177, para. 371).

16. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/10). The attention of the Commission is also drawn to decision 1996/108 adopted by the Sub-Commission at its forty-eight session.

Situation of human rights in Liberia

17. In the statement on the situation of human rights in Liberia, agreed on by consensus by the Commission, made by the Chairman on 24 April 1996, the Commission, inter alia, decided to remain seized of the matter (see E/1996/23-E/CN.4/1996/177, para. 25).

Report of the High Commissioner for Human Rights

18. The General Assembly in its resolution 48/141 of 20 December 1993 decided to create the post of the United Nations High Commissioner for Human Rights and, inter alia, requested the High Commissioner to report annually on his activities, in accordance with his mandate, to the Commission on Human Rights and, through the Economic and Social Council, to the General Assembly.

19. The Commission will have before it the report of the High Commissioner for Human Rights (E/CN.4/1997/98), in connection with the present item and with item 22 of the provisional agenda.

Draft decision E/CN.4/1996/L.2, entitled "Organization of work"

20. In its decision 1996/114, the Commission decided to defer consideration of draft decision E/CN.4/1996/L.2 to its fifty-third session (see also E/1996/23-E/CN.4/1996/177, paras. 18-23).

Item 4. Question of the violation of human rights in the occupied Arab territories, including Palestine

21. In its resolution 1993/2 A, the Commission decided to appoint a special rapporteur with the mandate to investigate Israel's violations of the principles and bases of international law, international humanitarian law and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in the Palestinian territories occupied by Israel since 1967, to receive communications, to hear witnesses and to report to the Commission at its future sessions, until the end of the Israeli occupation of those territories. Following the resignation of Mr. René Felber (Switzerland) at the fifty-first session, Mr. Hannu Halinen (Finland) was appointed Special Rapporteur. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1997/16).

22. At its fifty-second session, the Commission adopted resolution 1996/2 on human rights in the occupied Syrian Golan, in which it requested the Secretary-General to report to the Commission at its fifty-third session. In this regard, the Commission will have before it the report of the Secretary-General (E/CN.4/1997/13).

23. The Commission also adopted resolution 1996/3, in which it requested the Secretary-General to report on the implementation of that resolution and to provide the Commission with all United Nations reports issued between sessions of the Commission that dealt with the conditions in which the citizens of the Palestinian and other occupied Arab territories were living under the Israeli occupation. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/14) and a note by the Secretary-General listing the aforementioned United Nations reports (E/CN.4/1997/15).

24. The attention of the Commission is also drawn to resolution 1996/6 adopted by the Sub-Commission at its forty-eighth session.

Item 5. Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights, including:

(a) Problems related to the right to enjoy an adequate standard of living; foreign debt, economic adjustment policies and their effects on the full enjoyment of human rights and, in particular, on the implementation of the Declaration on the Right to Development;

(b) The effects of the existing unjust international economic order on the economies of the developing countries, and the obstacle that this represents for the implementation of human rights and fundamental freedoms.

25. At its fifty-second session, in its resolution 1996/11, the Commission decided to consider issues raised in that resolution at its fifty-third session under the appropriate agenda item.

26. In its resolution 1995/13, the Commission requested the Secretary-General to submit a report to the Commission at its fifty-second session, recommending ways and means to carry out a political dialogue between creditor and debtor countries in the United Nations system, based on the principle of shared responsibility. In its resolution 1996/12, the Commission, having taken note of the report of the Secretary-General (E/CN.4/1996/22), requested him to continue the efforts to carry out this dialogue and to submit to the Commission at its fifty-third session a report on the measures to be implemented in order to achieve a durable solution to the debt crisis of developing countries, so that they may fully enjoy all human rights. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/17).

27. In its decision 1996/103, the Commission decided to establish an open-ended working group of the Commission to meet for a period of one week prior to its fifty-third session to elaborate, on the basis of the preliminary set of basic policy guidelines on structural adjustment programmes and economic, social and cultural rights contained in document E/CN.4/Sub.2/1995/10 and in close cooperation with the Committee on Economic, Social and Cultural Rights, policy guidelines on the subject-matter. The Economic and Social Council approved that decision in its decision 1996/289. The Commission will have before it the report of the working group (E/CN.4/1997/20).

Human rights and unilateral coercive measures

28. In its resolution 1996/9, the Commission decided to examine this question at its fifty-third session under the present agenda item.

Human rights and extreme poverty

29. In its resolution 1996/10, the Commission decided to consider this question at its fifty-third session under the present agenda item. The Commission will have before it the final report on human rights and extreme poverty prepared by Mr. Leandro Despouy, Special Rapporteur of the Sub-Commission (E/CN.4/Sub.2/1996/13). The attention of the Commission is also drawn to resolution 1996/23 adopted by the Sub-Commission at its forty-eighth session and to draft decision 3 proposed to the Commission for action, contained in chapter I of the report of the Sub-Commission on its forty-eighth session (E/CN.4/1997/2-E/CN.4/Sub.2/1996/41).

Human rights and the environment

30. In its resolution 1996/13, the Commission requested the Secretary-General to renew his request for the opinions of Governments, specialized agencies and intergovernmental and non-governmental organizations on the issues raised in the final report of the Special Rapporteur of the Sub-Commission on human rights and the environment (E/CN.4/Sub.2/1994/9 and Corr.1), and to submit a report to the Commission at its fifty-third session. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/18).

Adverse effects of the illicit movement and dumping of toxic waste and dangerous products and wastes on the enjoyment of human rights

31. Pursuant to Commission resolution 1995/81, Ms. Fatma Zohra Ksentini (Algeria) was appointed Special Rapporteur on this question. In its resolution 1996/14, the Commission decided to continue consideration of the question at its fifty-third session under the present agenda item. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1997/19).

Other matters

32. The Commission will have before it a note by the Secretary-General (E/CN.4/1997/106) transmitting the decisions adopted by the Committee on Economic, Social and Cultural Rights at its fifteenth session.

33. The attention of the Commission is also drawn to resolutions 1996/24, 1996/25, 1996/26, 1996/27 and 1996/39 adopted by the Sub-Commission at its forty-eighth session, and to draft decision 3 proposed to the Commission for action, contained in chapter I of the report of the Sub-Commission on its forty-eighth session (E/CN.4/1997/2-E/CN.4/Sub.2/1996/41). The Commission will also have before it a note by the Secretary-General (E/CN.4/1997/86) transmitting Sub-Commission documents E/CN.4/Sub.2/1995/11 and E/CN.4/Sub.2/1996/12 and Corr.1 in accordance with a request contained in Sub-Commission resolution 1996/39.

Item 6. Question of the realization of the right to development

34. The Declaration on the Right to Development was proclaimed by the General Assembly in its resolution 41/128 of 4 December 1986. The Commission decided to include this question under a separate item on its agenda in its resolution 1989/45.

35. In its resolution 1993/22, the Commission decided to establish a working group on the right to development composed of 15 experts with a mandate to identify obstacles to the implementation and realization of the Declaration on the Right to Development and to recommend ways and means towards the realization of the right to development by all States. The Working Group held five sessions in the period 1993-1995.

36. In its resolution 1996/15, the Commission decided to establish, for a two-year period, an intergovernmental working group composed of 10 experts nominated by Governments and appointed by the Chairman of the Commission, with the mandate to elaborate a strategy for the implementation and promotion of the right to development in its integrated and multidimensional aspects. This decision was approved by the Economic and Social Council in its decision 1996/258.

37. At the present session, the Commission will have before it a progress report of the Working Group (E/CN.4/1997/22). It will also have before it the report of the Secretary-General on the implementation of resolution 1996/15 (E/CN.4/1997/21).

Item 7. The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation

Situation in occupied Palestine

38. In its resolution 1996/5, the Commission requested the Secretary-General to transmit the resolution to the Government of Israel and to all other Governments, to distribute it on the widest possible scale and to make available to the Commission on Human Rights, prior to the convening of its fifty-third session, all information pertaining to the implementation of the resolution by the Government of Israel. It also decided to consider the situation in occupied Palestine under the present item as a matter of high priority. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/23).

Question of Western Sahara

39. In its resolution 1996/6, the Commission decided to follow the development of the situation in Western Sahara and to consider the question at its fifty-third session, as a matter of high priority, under the present agenda item.

Question of the use of mercenaries

40. At its forty-third session, the Commission, in resolution 1987/16, decided to appoint for one year a special rapporteur to examine the question of the use of mercenaries as a means of violating human rights and of impeding the exercise of the right of peoples to self-determination. Subsequently, Mr. Enrique Bernales Ballesteros (Peru) was appointed as Special Rapporteur of the Commission. In its resolution 1995/5, the Commission decided to extend the mandate of the Special Rapporteur for three years and requested him to report to the Commission on his activities. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1997/24).

Item 8. Question of the human rights of all persons subjected to any form of detention or imprisonment, in particular:

(a) Torture and other cruel, inhuman or degrading treatment or punishment;

(b) Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(c) Question of enforced or involuntary disappearances;

(d) Question of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Question of arbitrary detention

41. At its forty-seventh session, in resolution 1991/42, the Commission decided to create, for a three-year period, a working group composed of five independent experts, with the task of investigating cases of detention imposed arbitrarily or otherwise inconsistently with relevant international standards or the relevant international legal instruments accepted by the States concerned. At its fiftieth session, in resolution 1994/32, the Commission decided to extend for a three-year period the mandate of the Working Group. At its fifty-second session, in resolution 1996/28, the Commission requested the Working Group to submit a report to the Commission at its fifty-third session. At the present session, the Commission will have before it the report of the Working Group (E/CN.4/1997/4 and Add.1, 2 and Corr.1, 3-4).

Staff members of the United Nations and the specialized agencies in detention

42. In its resolution 1996/29, the Commission invited the Secretary-General to request the United Nations organs concerned to submit to him their views and comments on the recommendations contained in the final report of the Special Rapporteur of the Sub-Commission on the protection of the human rights of United Nations staff members, experts and their families (E/CN.4/Sub.2/1992/19) and to submit a report evaluating the measures proposed for the implementation of those recommendations. The Commission also invited the Secretary-General to prepare a document containing the relevant principles of protection found in the Convention for use as guidelines in bilateral negotiations of headquarters agreements and mission agreements with the concerned Governments; such bilateral negotiations would take into account national legislation where the Government concerned has not ratified or acceded to the Convention. The Secretary-General was requested to submit to the Commission at its fifty-third session a report on the status of the Convention on the Safety of United Nations and Associated Personnel, on the situation of United Nations staff members, experts and their families detained, imprisoned, missing or held in a country against their will, on cases which have been successfully settled since the presentation of the last report, and on the implementation of the measures referred to in the resolution. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/25).

Children and juveniles in detention

43. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/26), submitted pursuant to Commission resolution 1996/32 on human rights in the administration of justice, in particular of children and juveniles in detention.

Independence of judges and lawyers

44. Pursuant to Commission resolution 1994/41, Mr. Param Cumaraswamy (Malaysia) was appointed Special Rapporteur on the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers. In its resolution 1996/34, the Commission requested the Special Rapporteur to submit a report on the activities relating to his mandate to the Commission at its fifty-third session. The Commission will have before it the report of the Special Rapporteur on the independence of judges and lawyers (E/CN.4/1997/32 and Add.1-3). (See also para. 96 below.)

Right to restitution, compensation and rehabilitation for victims of grave violations of human rights and fundamental freedoms

45. In its resolution 1996/35, the Commission requested States that have not yet done so to provide information to the Secretary-General on the legislation already adopted, as well as that in the process of being adopted, relating to the right to restitution, compensation and rehabilitation for victims of grave violations of human rights and fundamental freedoms. The Secretary-General was requested to prepare an additional report, taking into account the information provided by States for submission to the Commission at its fifty-third session. The Commission will have before it the report of the Secretary-General prepared pursuant to this request (E/CN.4/1997/29).

46. The attention of the Commission is also drawn to resolution 1996/28, adopted by the Sub-Commission at its forty-eighth session, in which the Sub-Commission decided to transmit the revised draft basic principles and guidelines on the right to reparation for victims of gross violations of human rights and humanitarian law prepared by the former Special Rapporteur of the Sub-Commission, Mr. Theo van Boven (E/CN.4/Sub.2/1996/17), to the Commission on Human Rights for its consideration together with the comments of the sessional working group of the Sub-Commission on the administration of justice and the question of compensation (E/CN.4/Sub.2/1996/16, paras. 10-32), and the comments of the Sub-Commission during its forty-eighth session. The Sub-Commission also requested Mr. van Boven, to prepare, without financial implications, a note taking into account the comments and observations of the working group and the Sub-Commission referred to above, in order to facilitate the examination by the Commission of the draft revised basic principles and guidelines. The Commission will have before it a note by the Secretary-General (E/CN.4/1997/104) transmitting the above-mentioned documents.

Question of human rights and states of emergency

47. The Commission, in its resolution 1996/36, endorsing Sub-Commission resolution 1995/33, recommended that the Economic and Social Council:

(a) Approve the request made by the Sub-Commission to Mr. Leandro Despouy, Special Rapporteur on human rights and states of emergency, to fulfil his mandate, in particular relating to the updating of the lists of States which have proclaimed, extended or terminated a state of emergency; the submission of conclusions and recommendations concerning non-derogable rights in states or situations of emergency; and the continuation of his consultations on the establishment of a database on states of emergency and related human rights questions;

(b) Request the Secretary-General to provide the Special Rapporteur with the necessary human and material resources to fulfil his mandate.

In its resolution 1996/21, the Economic and Social Council approved the above requests.

48. The Commission will have before it a note by the Secretary-General (E/CN.4/1997/30) transmitting the updated ninth annual report of the Special Rapporteur of the Sub-Commission on human rights and states of emergency (E/CN.4/Sub.2/1996/19 and Corr.1 and Add.1). The attention of the Commission is also drawn to draft decision 6, in chapter I of the report of the Sub-Commission on its forty-eighth session (E/CN.4/1997/2-E/CN.4/Sub.2/1996/41).

Right to freedom of opinion and expression

49. Pursuant to Commission resolution 1993/45, Mr. A. Hussain (India) was appointed as Special Rapporteur on the right to freedom of opinion and expression. In its resolution 1996/53, the Commission decided to renew the mandate of the Special Rapporteur for a period of three years. The Economic and Social Council approved that decision in its decision 1996/266. At its present session, pursuant to its resolution 1996/53, the Commission will have before it the report of the Special Rapporteur (E/CN.4/1997/31 and Add.1). (See also para. 96 below.)

Other matters

50. In connection with the present agenda item, the attention of the Commission is also drawn to draft decision 5, on the right to a fair trial, proposed to the Commission for action, contained in chapter I of the report of the Sub-Commission on its forty-eighth session (E/CN.4/1997/2-E/CN.4/Sub.2/1996/41) and to decision 1996/119 of the Sub-Commission.

Sub-item (a) Torture and other cruel, inhuman or degrading treatment or punishment

Special Rapporteur on the question of torture

51. At its forty-first session the Commission, in its resolution 1985/33, decided to appoint a special rapporteur to examine questions relevant to torture. The current special rapporteur, Mr. Nigel S. Rodley (United Kingdom of Great Britain and Northern Ireland), was appointed to the post in April 1993. In its resolution 1995/37, the Commission decided to extend the

mandate of the Special Rapporteur for three years while maintaining the annual cycle of reporting. Pursuant to its resolution 1996/33 B, at the present session the Commission will have before it the report of the Special Rapporteur (E/CN.4/1997/7 and Add.1-3).

United Nations Voluntary Fund for Victims of Torture

52. In December 1981, the General Assembly, in its resolution 36/151, established the United Nations Voluntary Fund for Victims of Torture and adopted the arrangements for the management of the Fund (A/36/540). In accordance with the resolution and arrangements: voluntary contributions paid to the Fund are distributed, through established channels of assistance, as humanitarian, legal and financial aid to individuals who have been tortured and to their relatives; the Fund is administered by the Secretary-General with the advice of a board of trustees authorized to promote and solicit contributions and pledges; and an annual report is submitted by the Secretary-General to the Assembly and, as appropriate, to the Commission on Human Rights.

53. In its resolution 1996/33 A, the Commission on Human Rights requested the Secretary-General to continue to keep the Commission informed of the operations of the Fund on an annual basis. At the present session, the Commission will have before it the report of the Secretary-General on the Fund to the General Assembly (A/51/465) and updated information for the Commission (E/CN.4/1997/27 and Add.1).

Sub-item (b) Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

54. In its resolution 1996/33 A, the Commission requested the Secretary-General to continue to submit to the Commission annual reports on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/28).

Sub-item (c) Question of enforced or involuntary disappearances

55. In pursuance of General Assembly resolution 33/173, the Commission by resolution 20 (XXXVI) of 29 February 1980, decided to establish for a period of one year a working group consisting of five of its members, to serve as experts in their individual capacities, to examine questions relevant to enforced or involuntary disappearances of persons. The Commission has regularly renewed the Group's mandate since this time, most recently at its fifty-first session when, by its resolution 1995/38, it extended the Working Group's mandate for three years. In its resolution 1996/30, the Commission requested the Group to report on its work to the Commission at its fifty-third session. The Commission will have before it the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1997/34).

56. In pursuance of resolution 1996/30, the Commission will also have before it, for the first time, a note by the Secretary-General (E/CN.4/1997/103) informing the Commission of the steps he has taken to disseminate and promote the Declaration on the Protection of All Persons from Enforced Disappearance.

Sub-item (d) Question of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

57. At its forty-eighth session, in its resolution 1992/43, the Commission decided to establish an open-ended inter-sessional working group to elaborate a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment designed to establish a preventive system of visits to places of detention, using as a basis for its discussion the draft text proposed by the Government of Costa Rica on 22 January 1991, and to consider implications of its adoption and the relationship between the draft optional protocol, regional instruments and the Committee against Torture.

58. At its fifty-second session, in resolution 1996/37, the Commission requested the open-ended working group to meet between sessions prior to the fifty-third session of the Commission in order to continue its work and to submit a new report to the Commission. The Working Group met from 14 to 25 October 1996 in Geneva. At the present session, the Commission will have before it the report of the Working Group (E/CN.4/1997/33).

Item 9. Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission:

(a) Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms;

(b) National institutions for the promotion and protection of human rights;

(c) Coordinating role of the Centre for Human Rights within the United Nations bodies and machinery dealing with the promotion and protection of human rights;

(d) Human rights, mass exoduses and displaced persons.

Sub-item (a) Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms

Regional arrangements

59. In its resolution 1995/46, entitled "Regional arrangements for the promotion and protection of human rights", the Commission requested the Secretary-General to submit to the Commission, at its fifty-third session, a report on the state of regional arrangements for the promotion and protection of human rights, to formulate concrete proposals and recommendations on the

ways and means to strengthen the cooperation between the United Nations and regional arrangements in the field of human rights and to include the results of action taken in pursuance of the resolution. The Commission will have before it the report of the Secretary-General prepared pursuant to this request (E/CN.4/1997/35).

60. The Commission, in its resolution 1996/64, entitled "Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region", requested the Secretary-General to submit to the Commission at its fifty-third session a further report incorporating information on the progress achieved in the implementation of the resolution. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/44).

Public information activities

61. In its resolution 1995/49, the Commission requested the Secretary-General to submit to it at its fifty-third session a report on public information activities and decided to continue consideration of this question at its fifty-third session. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/36).

Preparations for the fiftieth anniversary of the Universal Declaration of Human Rights

62. In its resolution 1996/42, the Commission decided to review at its fifty-third session the state of preparation of the fiftieth anniversary of the Universal Declaration of Human Rights and to consider further measures in this regard, including its own contribution in the matter.

Human rights and HIV/AIDS

63. The Commission, in resolution 1996/43, urged all United Nations human rights bodies, including treaty bodies, special rapporteurs and representatives of working groups of the Commission, to keep under review the protection of HIV-related human rights in relation to their respective mandates; requested the High Commissioner for Human Rights to continue his efforts towards the elaboration of guidelines on promoting and protecting respect for human rights in the context of HIV/AIDS; and requested the Secretary-General to prepare for the consideration of the Commission at its fifty-third session a final report on the above-mentioned guidelines, including the outcome of the second expert consultation on human rights and AIDS.

64. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/37). The attention of the Commission is also drawn to resolution 1996/33, adopted by the Sub-Commission at its forty-eighth session (see E/CN.4/1997/2-E/CN.4/Sub.2/1996/41).

United Nations Decade for Human Rights Education

65. In its resolution 1996/44, the Commission invited the United Nations High Commissioner for Human Rights to seek the views of States on ways and means to increase support to the Decade, with special emphasis on activities

of non-governmental organizations in the field of human rights education, and on the advisability of establishing a voluntary fund for this purpose, and to include this information in his report to the fifty-third session of the Commission on Human Rights. The Commission decided to continue consideration of the question of human rights education at its fifty-third session under the present agenda item. The Commission will have before it the report of the High Commissioner (E/CN.4/1997/46).

Thematic procedures

66. In its resolution 1996/46, the Commission requested the Secretary-General, in close collaboration with the thematic special rapporteurs and working groups, to issue annually and sufficiently early their conclusions and recommendations, so as to enable further discussion of their implementation at subsequent sessions of the Commission. At its present session, the Commission will have before it a note by the Secretary-General (E/CN.4/1997/38).

67. In accordance with paragraph 20 of the same resolution, a list of all persons currently constituting the thematic and country procedures, including their country of origin, is provided in an annex to the present document.

Human rights and terrorism

68. In resolution 1996/47, the Commission urged all thematic special rapporteurs and working groups to address as appropriate the consequences of the acts, methods and practices of terrorist groups. It also requested the Secretary-General to continue to collect information on the question from all relevant sources and to make it available to the special rapporteurs and working groups concerned and to the Commission. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/39).

69. The attention of the Commission is also drawn to resolution 1996/20 adopted by the Sub-Commission at its forty-eighth session.

Question of integrating the human rights of women into the human rights mechanisms of the United Nations

70. At its fiftieth session, the Commission adopted resolution 1994/45, entitled "The question of integrating the rights of women into the human rights mechanism of the United Nations and the elimination of violence against women", in which inter alia, it called for intensified effort at the international level to integrate the equal status of women and the human rights of women into the mainstream of United Nations system-wide activity and to address these issues regularly and systematically throughout relevant United Nations bodies and mechanisms.

71. At its fifty-second session, the Commission had before it a note by the Secretariat, transmitting the report of an expert group meeting on the development of guidelines for the integration of a gender perspective into

United Nations human rights activities and programmes, which was organized by the Centre for Human Rights and the United Nations Development Fund, in Geneva from 3 to 7 July 1995, pursuant to part I, paragraph 18, and part II, paragraphs 37 and 42 of the Vienna Declaration and Programme of Action (E/CN.4/1996/105).

72. In its resolution 1996/48, the Commission requested the Secretary-General to report to the Commission at its fifty-third session on the implementation of that resolution. Pursuant to that request, the Commission will have before it the report of the Secretary-General (E/CN.4/1997/40).

73. The attention of the Commission is also drawn to resolution 1996/21 adopted by the Sub-Commission at its forty-eighth session.

Violence against women

74. At its fiftieth session, in resolution 1994/45, the Commission decided to appoint, for a three-year period, a special rapporteur on violence against women, including its causes and consequences, to report to the Commission on an annual basis beginning at its fifty-first session. Subsequently Ms. Radhika Coomaraswamy (Sri Lanka), was appointed as Special Rapporteur. At the present session, the Commission will have before it the report of the Special Rapporteur (E/CN.4/1997/47 and Add.1-3). The attention of the Commission is also drawn to paragraphs 38 to 44 of resolution 1996/12 adopted by the Sub-Commission at its forty-eighth session.

Sub-item (b) National institutions for the promotion and protection of human rights

75. In its resolution 1996/50, the Commission requested the Centre for Human Rights, with the assistance of national institutions and their Coordinating Committee, to continue to provide technical assistance for States wishing to establish or strengthen their national institutions and to organize training programmes for national institutions which requested them, and invited Governments to contribute additional funds to the Voluntary Fund for the Technical Cooperation in the Field of Human Rights for those purposes.

76. In the same resolution, the Commission, having noted the importance of finding an appropriate form of participation by national institutions in relevant United Nations meetings dealing with human rights, requested the Secretary-General again to invite Member States which had not yet done so to inform him of their views concerning possible forms of such participation, and requested him to include that information in his report to the Commission at its fifty-third session. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/41).

Sub-item (c) Coordinating role of the Centre for Human Rights within the United Nations bodies and machinery dealing with the promotion and protection of human rights

77. In its resolution 1996/65, entitled "Composition of the staff of the Centre for Human Rights", the Commission urged the Secretary-General to submit a comprehensive report to the General Assembly at its fifty-first session and to the Commission on Human Rights at its fifty-third session on the implementation of the resolution, including measures adopted and their results, and recommendations for improving the present situation. The Commission decided to consider this matter at its fifty-third session. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/45).

78. The Commission, in its resolution 1996/82, supported and encouraged the efforts of the Secretary-General to enhance the role and further improve the functioning of the Centre for Human Rights, under the overall supervision of the High Commissioner for Human Rights, and decided to consider the question of strengthening the Office of the High Commissioner/Centre for Human Rights, including measures taken in furtherance of that resolution, at its fifty-third session.

79. The attention of the Commission is drawn to a note by the High Commissioner for Human Rights transmitting the report of the meeting of special rapporteurs/representatives/experts and chairpersons of working groups of the special procedures of the Commission on Human Rights and of the advisory services programme, held in Geneva from 28 to 30 May 1996 (E/CN.4/1997/3).

Sub-item (d) Human rights, mass exoduses and displaced persons

Human rights and mass exoduses

80. In its resolution 1996/51, the Commission requested the High Commissioner for Human Rights to prepare, within existing resources, and submit to the Commission at its fifty-third session an update of the report of the Secretary-General on human rights and mass exoduses (E/CN.4/1996/42), including information on and recommendations and conclusions emerging from the action taken pursuant to that resolution, as well as all relevant information on the human rights situations creating or affecting refugees and displaced persons. The Commission will have before it the report of the High Commissioner (E/CN.4/1997/42).

Internally displaced persons

81. In its resolution 1995/57, the Commission decided to extend for a further three years the mandate of the representative of the Secretary-General on internally displaced persons, Mr. Francis Deng (Sudan), and requested him to continue to submit annual reports on his activities to the Commission on Human Rights and to the General Assembly. Pursuant to that request and to resolution 1996/52, the Commission will have before it the report of the

representative of the Secretary-General on internally displaced persons (E/CN.4/1997/43 and Add.1). The attention of the Commission is also drawn to resolution 1996/9 and decision 1996/109 adopted by the Sub-Commission at its forty-eighth session.

Item 10. Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories, including:

(a) Question of human rights in Cyprus;

(b) Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided for in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII): report of the Working Group on Situations established by Economic and Social Council resolution 1990/41 of 25 May 1990

82. By resolution 1164 (XLI) of 5 August 1966, the Economic and Social Council welcomed the decision of the Commission in its resolution 2 B (XXII) of 25 March 1966 to consider, at its twenty-third session, the question of its tasks and functions and its role in relation to violations of human rights. In resolution 2144 A (XXI) of 26 October 1966, the General Assembly invited the Council and the Commission to give urgent consideration to ways and means of improving the capacity of the United Nations to put a stop to violations of human rights wherever they might occur. Pursuant to these resolutions, the Commission adopted resolution 8 (XXIII) of 16 March 1967, in which it decided to give annual consideration to an item on the question of violations of human rights and fundamental freedoms. The title of the item was later modified by the Commission. Subsequently, the Economic and Social Council adopted resolutions 1235 (XLII) and 1503 (XLVIII) on the question of violations of human rights and fundamental freedoms.

83. In resolution 32/130, the General Assembly decided that, in approaching human rights questions within the United Nations system, the international community should accord, or continue to accord, priority to the search for solutions to the mass and flagrant violations of human rights of peoples and persons affected by various situations referred to in the resolution. The Assembly reiterated those views in subsequent resolutions, including resolution 37/199. In resolution 34/175, entitled "Effective action against mass and flagrant violations of human rights", the Assembly urged the appropriate United Nations bodies, within their mandates, particularly the Commission, to take timely and effective action in existing and future cases of mass and flagrant violations of human rights. By resolution 37/200, the General Assembly urged all States to cooperate with the Commission in its study of violations of human rights and fundamental freedoms in any part of the world and requested the Commission to continue its efforts to improve the capacity of the United Nations system to take urgent action in cases of serious violations of human rights.

Situation of human rights in Equatorial Guinea

84. Pursuant to Commission resolution 1993/69, Mr. Alejandro Artucio Rodríguez (Uruguay) was appointed Special Rapporteur on the situation of human rights in Equatorial Guinea. In its resolution 1996/66, the Commission decided to renew the mandate of the Special Rapporteur for one year and requested him to report to the Commission at its fifty-third session. The Economic and Social Council approved that decision in its decision 1996/273. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1997/54).

Human rights situation in southern Lebanon and West Bekaa

85. In its resolution 1996/68, the Commission requested the Secretary-General to bring the resolution to the attention of the Government of Israel, to invite it to provide information concerning the extent of its implementation thereof and to report to the Commission at its fifty-third session on the results of his efforts in that regard. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/49).

Situation of human rights in Cuba

86. Pursuant to Commission resolution 1992/61, Mr. Johan-Carl Groth (Sweden) was appointed Special Rapporteur on the situation of human rights in Cuba. In its resolution 1996/69, the Commission extended the mandate of the Special Rapporteur for one year and requested the Special Rapporteur to maintain direct contacts with the Government and citizens of Cuba, as specified in past resolutions of the Commission, and to submit an interim report to the General Assembly at its fifty-first session and to report to the Commission at its fifty-third session on the results of his endeavours. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1997/53).

Cooperation with representatives of United Nations human rights bodies

87. In its resolution 1996/70, the Commission invited the Secretary-General to submit a report at its fifty-third session containing a compilation and analysis of any available information, from all appropriate sources, on alleged reprisals against those who seek to cooperate or have cooperated with representatives of United Nations human rights bodies, or who have provided testimony or information to them; those who avail or have availed themselves of procedures established under United Nations auspices for the protection of human rights and fundamental freedoms and all those who have provided legal assistance to them for this purpose; those who submit or have submitted communications under procedures established by human rights instruments; and those who are relatives of victims of human rights violations. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/50).

Situation of human rights in the territory of the former Yugoslavia

88. Pursuant to Commission resolution 1992/S-1/1, Mr. Tadeusz Mazowiecki (Poland) was appointed Special Rapporteur. Following the resignation of Mr. Mazowiecki in July 1995, the Chairman of the Commission appointed Ms. Elisabeth Rehn (Finland) Special Rapporteur. In its resolution 1996/71, the Commission decided to extend for one year the mandate of the Special Rapporteur. In compliance with Commission resolution 1996/71, the Special

Rapporteur submitted periodic reports in July 1996 (E/CN.4/1997/5) and October 1996 (E/CN.4/1997/9), a special report on minorities (E/CN.4/1997/8) and a report to the General Assembly (A/51/663-S/1996/927). The Commission will have before it the above-mentioned reports of the Special Rapporteur, as well as an additional report (E/CN.4/1997/56).

89. Also in resolution 1996/71, the Commission decided to extend for one year the mandate of the expert member of the Working Group on Enforced or Involuntary Disappearances for the special process dealing with missing persons, and requested him to continue to report to the Commission on this matter. The Commission will have before it the report of the expert, Mr. Manfred Nowak (Austria) (E/CN.4/1997/55).

Situation of human rights in Iraq

90. In its resolution 1996/72, the Commission decided to extend for a further year the mandate of the Special Rapporteur, Mr. Max van der Stoel (Netherlands), and requested him to report periodically to the Commission on Human Rights and to submit an interim report to the General Assembly at its fifty-first session and a report to the Commission at its fifty-third session. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1997/57).

Situation of human rights in the Sudan

91. In its resolution 1996/73, the Commission decided to extend the mandate of the Special Rapporteur on the situation of human rights in the Sudan, Mr. Gáspár Bíro (Hungary), for an additional year and requested the Special Rapporteur to report his findings and recommendations to the General Assembly at its fifty-first session and to the Commission at its fifty-third session. Further, it encouraged the Special Rapporteurs on religious intolerance and on freedom of opinion and expression to consult with the Special Rapporteur on the situation of human rights in the Sudan and to accept the invitations of the Government of the Sudan and looked forward to receiving their reports following their visits. The Special Rapporteur on Religious Intolerance was able to visit the Sudan and his report to the General Assembly is contained in document A/51/542/Add.2. In the same resolution, the Commission also recommended that priority be given to the placement of human rights field officers to monitor the situation of human rights, in the locations and under the modalities suggested by the Special Rapporteur on the situation of human rights in the Sudan, in order to facilitate improved information flow and assessment and to help in the independent verification of reporting, with particular attention to violations and abuses in areas of armed conflict. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1997/58).

Extrajudicial, summary or arbitrary executions

92. Pursuant to Economic and Social Council resolution 1982/35, Mr. Amos Wako (Kenya) was appointed Special Rapporteur. Following the resignation of Mr. Wako in March 1982, Mr. Bacre W. N'diaye (Senegal) was appointed Special Rapporteur. In its resolution 1995/73, the Commission decided that the mandate of the Special Rapporteur should be extended for

three years. In its resolution 1996/74, the Commission requested him to submit to it, on an annual basis, his findings, together with conclusions and recommendations, as well as such other reports as the Special Rapporteur deemed necessary in order to keep the Commission informed. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1997/60 and Add.1). (See also para. 96 below.)

Situation of human rights in Afghanistan

93. Following the death of the Special Rapporteur, Mr. Felix Ermacora (Austria), in February 1995, Mr. Choong-Hyun Paik (Republic of Korea) was appointed Special Rapporteur. In its resolution 1996/75, the Commission extended the mandate for one year and requested the Special Rapporteur to report to the Commission at its fifty-third session and to consider submitting a report to the General Assembly at its fifty-first session. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1997/59). The report of the Special Rapporteur to the General Assembly (A/51/481) will be made available to the Commission.

Situation of human rights in Rwanda

94. Pursuant to Commission resolution 1994/S-3/1, Mr. René Degni-Ségui (Côte d'Ivoire) was appointed Special Rapporteur, for an initial period of one year, to investigate the human rights situation in Rwanda and receive relevant, credible information on the human rights situation there, including on root causes and responsibilities for the recent atrocities. In resolution 1996/76, the Commission extended the mandate of the Special Rapporteur for an additional year. In the same resolution, the Commission requested the High Commissioner for Human Rights to report on the activities of the Human Rights Field Operation in Rwanda to the Commission at its fifty-third session and to the General Assembly at its fifty-first session. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1997/61 and Add.1) and the report of the High Commissioner (E/CN.4/1997/52).

Situation of human rights in Zaire

95. Pursuant to Commission resolution 1994/87, Mr. Roberto Garretón (Chile) was appointed Special Rapporteur. In its resolution 1996/77, the Commission decided to extend the mandate of the Special Rapporteur for an additional year, and requested him to submit a report to its fifty-third session. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1997/6 and Add.1).

Situation of human rights in Nigeria

96. In its resolution 1996/79, the Commission called upon the Government of Nigeria to accede to the request of the Special Rapporteurs on extrajudicial, summary or arbitrary executions and on the independence of judges and lawyers to pay a joint investigative visit to Nigeria, and requested the two thematic Special Rapporteurs to submit to the Commission at its fifty-third session a joint report on their findings, along with any observations of other relevant mechanisms, in particular the Working Group on Arbitrary Detention, and

requested them to submit an interim report to the General Assembly. The Commission will have before it the report of the Special Rapporteurs (E/CN.4/1997/62).

Situation of human rights in Myanmar

97. Following the resignation of the Special Rapporteur, Mr. Yozo Yokota (Japan) in May 1996, Mr. Rajsoomer Lallah (Mauritius) was appointed Special Rapporteur. In its resolution 1996/80, the Commission decided to extend for one year the mandate of the Special Rapporteur and requested him to report to the General Assembly at its fifty-first session and to the Commission on Human Rights at its fifty-third session. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1997/64).

Situation of human rights in the Islamic Republic of Iran

98. In its resolution 1996/84, the Commission decided to extend the mandate of the Special Representative, as contained in Commission resolution 1984/54, for a further year and requested him to submit an interim report to the General Assembly at its fifty-first session on the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups, such as the Baha'is, and to report to the Commission at its fifty-third session. The Commission will have before it the report of the Special Representative, Mr. Maurice Copithorne (Canada) (E/CN.4/1997/63).

Situation in East Timor

99. At its fifty-second session the Commission heard a statement read out by the Chairman on 23 April 1996 indicating its consensus agreement in connection with the situation of human rights in East Timor. In that statement the Commission, inter alia, requested the Secretary-General to keep it informed on the situation of human rights in East Timor, which it would consider at its fifty-third session. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/51).

Action by the Sub-Commission at its forty-eighth session

100. The attention of the Commission is drawn to the following resolutions and decisions adopted by the Sub-Commission at its forty-eighth session that are relevant to the present agenda item: 1996/1 (Middle East); 1996/2 (Kosovo); 1996/3 (Rwanda); 1996/4 (Burundi); 1996/5 and 1996/107 (Iraq); 1996/6 (Palestinian and other Arab territories occupied by Israel); 1996/7 (Islamic Republic of Iran); and 1996/115 (Methods of work regarding agenda item 6) (see E/CN.4/1997/2-E/CN.4/Sub.2/1996/41, chap. II).

Sub-item (a) Question of human rights in Cyprus

101. This question has been considered by the Commission since its thirty-second session, when it adopted resolution 4 (XXXIII) of 27 February 1976. In its decision 1996/112, the Commission decided to retain the sub-item on its agenda, it being understood that action required by previous resolutions of the Commission on the subject would continue to remain

operative, including the request to the Secretary-General to provide a report regarding their implementation. At its present session the Commission will have before it the report of the Secretary-General (E/CN.4/1997/48).

Sub-item (b) Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided for in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII): report of the Working Group on Situations established by Economic and Social Council resolution 1990/41 of 25 May 1990

102. By resolution 1503 (XLVIII) of 27 May 1970, the Economic and Social Council established a procedure for dealing with communications concerning alleged violations of human rights. Particular situations referred to the Commission by the Sub-Commission on Prevention of Discrimination and Protection of Minorities under Council resolution 1503 (XLVIII) were placed before the Commission for the first time at its thirtieth session in 1974. Since then particular situations relating to some 73 countries have been placed before the Commission under the procedure.

103. From its thirtieth session, in 1974, (see Commission decision 3 (XXX) of 6 March 1974), the Commission annually set up a working group of five of its members, due account being taken of considerations of geographical distribution, to meet for one week prior to the Commission's following session to examine the particular situations referred to the Commission by the Sub-Commission under Council resolution 1503 (XLVIII) and those situations of which the Commission was seized under that procedure, and to make recommendations to the Commission on the course of action to take in respect of each particular situation. By resolution 1990/41 of 25 May 1990, the Economic and Social Council, acting on the recommendation contained in Commission resolution 1990/55 of 7 March 1990, authorized the establishment of the working group, to be referred to as the Working Group on Situations, on a permanent basis, instead of the earlier ad hoc basis.

104. At its thirtieth session, the Commission decided that the Governments concerned should henceforth be invited to submit written observations relating to the particular situations referred to the Commission (decision 3 (XXX), para. 4).

105. In 1978, the Commission decided to issue invitations, during the first week of each session, to the States directly concerned, asking them to send representatives to address the Commission and to answer any questions put by members of the Commission (decision 5 (XXXIV)).

106. In 1979, the Commission decided to authorize its Working Group on Situations in future to communicate the text of the relevant recommendations as soon as possible to the Governments directly concerned, in order to facilitate their participation in the examination of the situations concerning their countries, as provided for in Commission decision 5 (XXXIV) (decision 14 (XXXV)).

107. In 1980, the Commission decided that the States invited to attend the closed meetings of the Commission under Council resolution 1503 (XLVIII) should have the right to attend and to participate in the entire discussion of the situation concerning them, and to be present during the adoption of the final decision taken in regard to that situation (decision 9 (XXXVI)).

108. All actions taken under the procedure governed by Council resolution 1503 (XLVIII) remain confidential until such time as the Commission may decide to make recommendations to the Council. The documentation pertaining to the procedure is also confidential.

109. At its fifty-third session, the Commission will have before it the report of the Working Group on Situations, as well as other confidential documents pertaining to the sub-item, including the confidential report of the forty-eighth session of the Sub-Commission (E/CN.4/1997/R.1 and addenda). Observations which may be received from the Governments concerned (to be issued in the E/CN.4/1997/R.2 series) will also be made available. In addition, the Commission will have before it the relevant earlier material relating to the situations of which the Commission is seized. The above-mentioned confidential documents will be handed to the members of the Commission at the session.

110. Chapter X of the report of the Sub-Commission on the work of its forty-eighth session (E/CN.4/1997/2-E/CN.4/Sub.2/1996/41) is also relevant to this sub-item.

Item 11. Measures to improve the situation and ensure the human rights and dignity of all migrant workers

111. The General Assembly, in resolution 45/158 of 18 December 1990, adopted the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

112. In its resolution 1996/18, the Commission requested the Secretary-General to submit to the Commission at its fifty-third session a report on the status of the Convention and on the efforts made by the Secretariat to promote the Convention and the protection of the rights of migrant workers. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/65).

113. In its resolution 1996/17, the Commission decided to continue to examine the question of violence against women migrant workers at its fifty-third session.

114. The attention of the Commission is also drawn to resolution 1996/10 and to paragraphs 30 to 34 of resolution 1996/12 adopted by the Sub-Commission at its forty-eighth session (see E/CN.4/1997/2-E/CN.4/Sub.2/1996/41, chap. II).

Item 12. Human rights and scientific and technological developments

115. Pursuant to resolution XI of the International Conference on Human Rights held at Tehran in 1968, human rights problems arising from scientific and technological developments have been examined by the General Assembly at

various sessions. They have also been on the agenda of the Commission as a standing item since its twenty-seventh session. At its thirty-ninth session, the Commission decided to consider this item on a biennial basis.

Human rights and bioethics

116. At its fifty-first session, the Commission, in its resolution 1995/82, invited Governments, the specialized agencies and other organizations of the United Nations system and other intergovernmental and non-governmental organizations to inform the Secretary-General of activities being carried out to ensure that the life sciences developed in a manner respectful of human rights. The Commission further invited States to inform the Secretary-General of legislative or other measures taken to this effect, including the possible establishment of national consultative bodies, with a view to promoting exchanges of experience between such institutions. Pursuant to that resolution, the Commission will have before it the report of the Secretary-General prepared on the basis of the contributions received (E/CN.4/1997/66).

Guidelines for the regulation of computerized personal data files

117. In its decision 1995/114, the Commission decided to request States and intergovernmental, regional and non-governmental organizations to cooperate fully with the Secretary-General by providing him with any relevant information on the application of the guidelines. The Secretary-General was requested to report to the Commission at its fifty-third session:

(i) On the application of the guidelines within the United Nations system;

(ii) On information collected from States and intergovernmental, regional and non-governmental organizations concerning the follow-up to the guidelines at the national and regional levels.

118. At the present session the Commission will have before it the report of the Secretary-General (E/CN.4/1997/67). The attention of the Commission is also drawn to decision 1996/110 adopted by the Sub-Commission at its forty-eighth session.

Item 13. Implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination

119. In its resolution 1995/11, the Commission requested the Secretary-General to submit to the Commission a detailed annual report on (a) all activities of Member States, United Nations bodies, the specialized agencies and non-governmental organizations, analysing information received on such activities to combat racism and racial discrimination; (b) measures to be taken to improve the coordination of the activities of the Programme of Action or to supplement, on the basis of the discussions in plenary, the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination. Pursuant to that request and to resolution 1996/8, the Commission will have before it the report of the Secretary-General (E/CN.4/1997/68 and Add.1).

120. Pursuant to Commission resolution 1993/20, Mr. Glèlè-Ahanhanzo (Benin) was appointed Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia and related intolerance. In its resolution 1996/21, the Commission decided to extend for a period of three years the mandate of the Special Rapporteur to examine incidents of contemporary forms of racism, racial discrimination, any form of discrimination, inter alia against Blacks, Arabs and Muslims, xenophobia, negrophobia, anti-Semitism and related intolerance, as well as governmental measures to overcome them, and to report on these matters on a yearly basis to the Commission, beginning at its fifty-third session. The Commission decided to defer the consideration of addenda 2, 3 and 4 to the report of the Special Rapporteur until its fifty-third session. The Secretary-General was requested to provide, without any further delay, the Special Rapporteur with all the necessary assistance and resources to carry out his mandate and enable him to submit an interim report to the General Assembly at its fifty-first session and a comprehensive report to the Commission at its fifty-third session. The Commission will have before it the reports of the Special Rapporteur (E/CN.4/1996/72/Add.2-4; E/CN.4/1997/71 and Add. 1-2).

121. The Commission will also have before it the annual reports on racial discrimination submitted by the International Labour Organization (E/CN.4/1997/69) and by the United Nations Educational, Scientific and Cultural Organization (E/CN.4/1997/70).

122. The attention of the Commission is also drawn to resolution 1996/8 and decision 1996/120 adopted by the Sub-Commission at its forty-eighth session (see E/CN.4/1997/2-E/CN.4/Sub.2/1996/41).

Item 14. Status of the International Covenants on Human Rights

123. In its resolution 1996/16, the Commission requested the Secretary-General to submit to it, at its fifty-third session, a report on the status of the International Covenant on Economic, Social and Cultural Rights and on the International Covenant on Civil and Political Rights and its Optional Protocols, including all reservations and declarations. Accordingly, the Commission will have before it the report of the Secretary-General on the status of the International Covenants on Human Rights (E/CN.4/1997/72). Reservations, declarations, notifications and objections relating to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and the Optional Protocols thereto are contained in document ST/LEG/SER.E/14.

124. The Commission will also have before it a note by the Secretary-General (E/CN.4/1997/105) transmitting the report of the Committee on Economic, Social and Cultural Rights on the elaboration of an optional protocol to the Covenant on Economic, Social and Cultural Rights.

125. The attention of the Commission is also drawn to decision 1996/101 and resolution 1996/13 adopted by the Sub-Commission at its forth-eighth session.

Item 15. Effective functioning of bodies established pursuant to United Nations human rights instruments

126. In its resolution 1996/22, the Commission made a number of recommendations relating to the effective implementation of international human rights instruments and requested the Secretary-General to report to the Commission at its fifty-third session on measures taken to implement the resolution and on obstacles to its implementation. At its present session, the Commission will have before it a report by the Secretary-General on measures taken to implement resolution 1996/22 and on obstacles to its implementation (E/CN.4/1997/73) and on updating the inventory of all international human rights standard-setting activities (E/CN.4/1997/75).

127. In the same resolution, the Commission requested the High Commissioner, in accordance with his mandate, to encourage the independent expert to finalize his interim report (A/CONF.157/PC/62/Add.11/Rev.1) on possible long-term approaches to enhancing the effective operation of the treaty system in time for the final report to be considered by the Commission at its fifty-third session. The Commission will have before it a note by the Secretary-General (E/CN.4/1997/74) transmitting the final report of the independent expert.

128. In addition, the attention of the Commission is drawn to the report of the Seventh Meeting of persons chairing human rights treaty bodies (A/51/482).

Item 16. Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its forty-eighth session

129. The report of the Sub-Commission on its forty-eighth session is contained in document E/CN.4/1997/2-E/CN.4/Sub.2/1996/41.

130. At its forty-eighth session, the Sub-Commission adopted 39 resolutions and 21 decisions, which are reproduced in the report.

131. Chapter I of the report of the Sub-Commission contains 12 draft decisions proposed to the Commission for action. They are as follows:

1. Prevention of discrimination and protection of minorities

2. Traditional practices affecting the health of women and children

3. Human rights and extreme poverty

4. Human rights and income distribution

5. The right to a fair trial

6. Question of human rights and states of emergency

7. Discrimination against indigenous peoples

8. International Decade of the World's Indigenous People

9. Permanent forum in the United Nations for indigenous people

10. Protection of the heritage of indigenous people

11. Study on indigenous land rights

12. Study on treaties, agreements and other constructive arrangements between States and indigenous populations

132. Annex IV to the report of the Sub-Commission contains the resolutions and decisions of the Sub-Commission referring to matters which are drawn to the attention of the Commission.

133. In its resolution 1996/25, the Commission decided to invite the Chairman of the Sub-Commission at its forty-eighth session to report to the Commission at its fifty-third session on significant aspects of the work of the Sub-Commission. The Commission also invited its Chairman to inform the Sub-Commission on the debate under this item.

134. The Commission will have before it the report of the Chairman of the Sub-Commission submitted pursuant to Commission resolution 1996/25 (E/CN.4/1997/79).

Traffic in women and girls

135. In its resolution 1996/24, the Commission requested the Secretary-General to provide the Commission at its fifty-third session with his report to the General Assembly at its fifty-first session on the implementation of General Assembly resolution 50/167. The Commission will have before it a note by the Secretary-General (E/CN.4/1997/108) transmitting that report (A/51/309).

Minimum humanitarian standards

136. In its resolution 1996/26, the Commission invited all States to consider reviewing their national legislation relevant to situations of public emergency with a view to ensuring that it met the requirements of the rule of law and that it did not involve discrimination on the grounds of race, colour, sex, language, religion or social origin. The Secretary-General was requested to transmit the text of the resolution to Governments and intergovernmental and non-governmental organizations for their comments on that matter for submission to the Commission at its fifty-third session. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/77 and addenda).

Human rights of persons with disabilities

137. In its resolution 1996/27, the Commission requested the Secretary-General to make available to the Commission at its fifty-third session the latest report of the Special Rapporteur on disability of the Commission for Social Development on his monitoring of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities. The

Commission will have before it a note by the Secretary-General (E/CN.4/1997/80) transmitting the report of the Special Rapporteur on disability of the Commission for Social Development.

Contemporary forms of slavery

138. In its resolution 1996/61, the Commission requested the Secretary-General to examine, in cooperation with relevant United Nations agencies, in particular the World Health Organization, as well as the International Criminal Police Organization and all relevant non-governmental organizations, the reliability of allegations regarding the removal of organs and tissues of children and adults for commercial purposes in order to enable the Commission at its fifty-third session to decide upon possible follow-up in this matter, taking into account the recommendation of the Sub-Commission in this regard. The Commission will have before it a note by the Secretary-General (E/CN.4/1997/78). The attention of the Commission is also drawn to paragraphs 17 to 19 of resolution 1996/12 and to resolution 1996/18 adopted by the Sub-Commission at its forty-eighth session.

139. In the same resolution, the Commission commended the Board of Trustees of the Trust Fund on Contemporary Forms of Slavery for its efforts to remedy the continuing difficult financial situation of the Fund, which is due to a lack of contributions. The Secretary-General was invited to examine the feasibility of alignment and harmonization of the procedures and support mechanisms of the Trust Fund with other existing procedures and mechanisms and to report on this matter to the Commission at its fifty-third session. At the present session, the Commission will have before it the report of the Secretary-General (E/CN.4/1997/76).

Traditional practices affecting the health of women and children

140. The attention of the Commission is drawn to paragraph 7 of resolution 1996/19, adopted by the Sub-Commission at its forty-eighth session, in which the Sub-Commission requested the Secretary-General to transmit the final report of its Special Rapporteur, Ms. Halima Embarek Warzazi, to the Commission on Human Rights for examination. The Commission will have before it a note by the Secretary-General (E/CN.4/1997/81) transmitting the report of the Special Rapporteur of the Sub-Commission (E/CN.4/Sub.2/1996/6).

Item 17. Rights of persons belonging to national or ethnic, religious and linguistic minorities

141. In its resolution 49/192, the General Assembly called upon the Commission on Human Rights to examine, as a matter of priority, ways and means to promote and protect effectively the rights of persons belonging to minorities as set out in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

142. Pursuant to Commission resolution 1995/24, the Sub-Commission established, initially for a three-year period, an inter-sessional working group consisting of five of its members to meet each year for five working days, in particular to:

(a) Review the promotion and practical realization of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

(b) Examine possible solutions to problems involving minorities, including the promotion of mutual understanding between and among minorities and Governments;

(c) Recommend further measures, as appropriate, for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities.

143. In its resolution 1996/20, the Commission requested the Sub-Commission to make available to the Commission the annual report of the Working Group. The Secretary-General was requested to submit to the Commission at its fifty-third session a report on the implementation of that resolution. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/82) and a note by the Secretariat (E/CN.4/1997/83) transmitting the reports of the Working Group on its first and second sessions (E/CN.4/Sub.2/1996/2 and E/CN.4/Sub.2/1996/28, respectively).

144. In its resolution 1996/19, entitled "Tolerance and pluralism as indivisible elements in the promotion and protection of human rights", adopted under the present agenda item, the Commission decided to consider that question at its fifty-third session.

145. The attention of the Commission is also drawn to resolution 1996/17 adopted by the Sub-Commission at its forty-eighth session, and to draft decision 1 proposed to the Commission for action, contained in chapter I of the report of the Sub-Commission on its forty-eighth session (E/CN.4/1997/2-E/CN.4/Sub.2/1996/41).

Item 18. Advisory services in the field of human rights

146. In its resolution 1996/55, the Commission requested the Secretary-General to submit a report to the Commission at its fifty-third session containing an inventory and an analysis of the availability of technical cooperation in the field of human rights from all sources, both multilateral and bilateral, and to request relevant information from such sources. The Secretary-General was further requested to report annually to the Commission on the progress made in the implementation of the programme of advisory services and technical cooperation in the field of human rights and on the operation and administration of the Voluntary Fund for Technical Cooperation in the Field of Human Rights. The Commission will have before it the report of the Secretary-General (E/CN.4/1997/86).

Situation of human rights in Cambodia

147. In its resolution 1996/54 the Commission requested the Secretary-General to report to the Commission at its fifty-third session on the role of the Centre for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights and on the recommendations made by the Special Representative on matters within his mandate.

148. The Commission will have before it the report of the Special Representative of the Secretary-General, Mr. Thomas Hammarberg (Sweden) (E/CN.4/1997/85) and the report of the Secretary-General (E/CN.4/1997/84). The attention of the Commission is also drawn to the report by the Special Representative submitted to the General Assembly (A/51/453 and Add.1).

Assistance to Somalia in the field of human rights

149. Following the resignation of Mr. Mohammed Charfi (Tunisia) at the end of 1996, Ms. Mona Rishmawi (Jordan) was appointed independent expert. In its resolution 1996/57, the Commission requested the independent expert to report to the Commission at its fifty-third session within her mandate. The Commission decided to continue consideration of the question at its fifty-third session under the present agenda item. The Commission will have before it the report of the independent expert (E/CN.4/1997/88).

Situation of human rights in Haiti

150. In its resolution 1996/58, the Commission requested the independent expert Mr. Adama Dieng (Senegal) to report to the Commission at its fifty-third session on the development of the human rights situation in Haiti and on the initiation of the technical cooperation programme in the area of human rights. The Commission will have before it the report of the independent expert (E/CN.4/1997/89).

Assistance to Guatemala in the field of human rights

151. In its resolution 1996/59, the Commission requested the Secretary-General to extend the mandate of the independent expert, Ms. Mónica Pinto (Argentina), so that she might continue to examine the situation of human rights in Guatemala, taking into account the work of the United Nations Mission for the Verification of Human Rights in Guatemala (MINUGUA), provide assistance to the Government in the field of human rights, and submit to the Commission at its fifty-third session a report containing, among other items, an evaluation of the measures taken by the Government in accordance with the recommendations made to it. The Economic and Social Council approved that request in its decision 1996/270. The Commission will have before it the report of the independent expert (E/CN.4/1997/90). The attention of the Commission is also drawn to decision 1996/106 adopted by the Sub-Commission at its forty-eighth session.

Item 19. Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief

152. After the proclamation by the General Assembly in 1981 of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (resolution 36/55), consideration of measures to implement the Declaration was taken up, at the request of the Assembly, by the Commission and the Sub-Commission.

153. At its forty-second session, in resolution 1986/20, the Commission decided to appoint a special rapporteur to examine incidents and governmental actions which were inconsistent with the provisions of the Declaration.

Following the resignation of Mr. D'Almeida Ribeiro (Portugal) during the forty-ninth session of the Commission, Mr. Abdelfattah Amor (Tunisia) was appointed as Special Rapporteur.

154. At its fifty-first session the Commission, in resolution 1995/23, decided to extend for three years the mandate of the Special Rapporteur.

155. At its fifty-second session, the Commission, in its resolution 1996/23, requested the Special Rapporteur to submit an interim report to the General Assembly at its fifty-first session and to report to the Commission at its fifty-third session. At its present session, the Commission will have before it the report of the Special Rapporteur (E/CN.4/1997/91 and Add.1). (See also para. 91 above.)

Item 20. Drafting of a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms

156. At its fortieth session, the Commission, by its decision 1984/116, decided to establish an open-ended working group to draft a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms.

157. At its fifty-second session, the Commission had before it the report of the Working Group on its eleventh session (E/CN.4/1996/97). In its resolution 1996/81, the Commission urged the working group to make every effort to complete its task and submit the draft declaration to the Commission. The Economic and Social Council, in its resolution 1996/25, authorized the working group to meet for a period of one week prior to the fifty-third session of the Commission. The Commission will have before it the report of the working group (E/CN.4/1997/92).

Item 21. Rights of the child, including:

(a) Status of the Convention on the Rights of the Child;

(b) Report of the Special Rapporteur on the sale of children, child prostitution and child pornography;

(c) Programme of Action for the Elimination of the Exploitation of Child Labour;

(d) Question of a draft optional protocol to the Convention on the Rights of the Child on the prevention of the sale of children, child prostitution and child pornography, as well as the basic measures needed for their prevention and eradication

Draft optional protocol on the involvement of children in armed conflicts

158. At its fiftieth session, in its resolution 1994/91, the Commission on Human Rights decided to establish an open-ended inter-sessional working group of the Commission to elaborate, as a matter of priority, a draft optional

protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts, using as one basis for its discussions the preliminary draft optional protocol submitted by the Committee on the Rights of the Child (E/CN.4/1994/91).

159. At its fifty-second session, the Commission, in its resolution 1996/85, having taken note of the report of the working group on its second session (E/CN.4/1996/102), noted the progress made and requested the group to meet for a period of two weeks, or less if possible, prior to the fifty-third session of the Commission to pursue its mandate. This request was endorsed by the Economic and Social Council in its decision 1996/288. At the present session, the Commission will have before it the report of the working group on its third session (E/CN.4/1997/96).

Protection of children affected by armed conflicts

160. Pursuant to General Assembly resolution 48/157, the Secretary-General appointed Ms. Gracia Simbine Machel (Mozambique) as expert to undertake a study on the situation of children affected by armed conflicts, working in collaboration with the Centre for Human Rights and the United Nations Children's Fund. The final report of the experts concerning the study on the impact of armed conflict on children, submitted to the General Assembly at its fifty-first session (A/51/306 and Add.1), will be made available to the Commission at its present session.

Sub-item (a) Status of the Convention on the Rights of the Child

161. In its resolution 1996/85, the Commission requested the Secretary-General to submit a report on the status of the Convention on the Rights of the Child to the Commission at its fifty-third session. At the present session, the Commission will have before it the report of the Secretary-General (E/CN.4/1997/93) and the reports of the Committee on the Rights of the Child on its eleventh (CRC/C/50), twelfth (CRC/C/54) and thirteenth (CRC/C/57) sessions.

Sub-item (b) Report of the Special Rapporteur on the sale of children, child prostitution and child pornography

162. At its forty-sixth session, in its resolution 1990/68, the Commission decided to appoint a special rapporteur to consider matters relating to the sale of children, child prostitution and child pornography, including the problem of the adoption of children for commercial purposes. Subsequently, Mr. Vitit Muntarbhorn (Thailand) was appointed Special Rapporteur. Following the resignation of Mr. Muntarbhorn in October 1994, Ms. Ofelia Calcetas-Santos (Philippines) was appointed Special Rapporteur.

163. At its fifty-second session, the Commission, in its resolution 1996/85, requested the Secretary-General to provide the Special Rapporteur with all necessary human and financial assistance, from within existing resources, to make the full discharge of the mandate possible and to enable her to submit an interim report to the General Assembly at its fifty-first session and a report to the Commission at its fifty-third session. At its present session, the Commission will have before it the report of the Special Rapporteur

(E/CN.4/1997/95 and Add.1-2). The attention of the Commission is also drawn to paragraphs 10 to 13 of resolution 1996/12 adopted by the Sub-Commission at its forty-eighth session.

Sub-item (c) Programme of Action for the Elimination of the Exploitation of Child Labour

164. At its forty-ninth session, the Commission, in its resolution 1993/79, adopted the Programme of Action for the Elimination of the Exploitation of Child Labour. The Commission requested the Sub-Commission to submit to the Commission every two years a progress report on the implementation of the Programme of Action by all States and decided to consider the question of the implementation of the Programme of Action every two years.

165. At its present session, the Commission will have before it a note by the Secretary-General (E/CN.4/1997/94) transmitting the report of the Secretary-General submitted to the Sub-Commission at its forty-eighth session (E/CN.4/Sub.2/1996/25 and Add.1), containing the replies of States concerning the implementation of the Programme of Action.

Sub-item (d) Question of a draft optional protocol to the Convention on the Rights of the Child on the prevention of the sale of children, child prostitution and child pornography, as well as the basic measures needed for their prevention and eradication

166. At its fiftieth session, in its resolution 1994/90, and in follow-up to General Assembly resolution 48/156, the Commission decided to establish an open-ended inter-sessional working group of the Commission on Human Rights responsible for elaborating, as a matter of priority and in close cooperation with the Special Rapporteur and the Committee on the Rights of the Child, guidelines for a possible draft optional protocol on the sale of children, child prostitution and child pornography, as well as the basic measures required for their prevention and eradication.

167. At its fifty-first session, in its resolution 1995/78, the Commission decided that the working group should elaborate, as a matter of priority and in close cooperation with the Special Rapporteur and the Committee on the Rights of the Child, and on the basis of the guidelines contained in annex I of its report (E/CN.4/1995/95), a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

168. At its fifty-second session, the Commission considered the report on the second session of the working group (E/CN.4/1996/101) and, in its resolution 1996/85, noted the progress made by the working group. The Commission also requested the working group to meet for a period of two weeks, or less if possible, prior to the fifty-third session of the Commission to pursue its mandate, with a view to finalizing the draft optional protocol. At the present session, the Commission will have before it the report of the working group on its third session (E/CN.4/1997/97).

Item 22. Follow-up to the World Conference on Human Rights

169. In its resolution 1996/78, the Commission on Human Rights requested the High Commissioner for Human Rights to continue to report on the measures taken and the progress achieved in the comprehensive implementation of the Vienna Declaration and Programme of Action. The Commission will have before it the report of the High Commissioner (E/CN.4/1997/98). (See also paras. 18 and 19 above.)

170. The Commission will also have before it a note by the High Commissioner transmitting the report of the meeting of special rapporteurs/representatives/experts and chairpersons of working groups of the special procedures of the Commission on Human Rights and of the advisory services programme, held in Geneva from 28 to 30 May 1996 (E/CN.4/1997/3).

171. The attention of the Commission is also drawn to its resolution 1996/83, adopted at its fifty-second session under this agenda item.

Item 23. The question of conscientious objection to military service

172. At its fifty-first session, the Commission, in its resolution 1995/83, requested the Secretary-General to transmit the text of that resolution to all States Members of the United Nations and to include the right of conscientious objection to military service in the public information activities of the United Nations, including the United Nations Decade for Human Rights Education. The Secretary-General was also requested to submit to the Commission at its fifty-third session an update of the information provided in the annexes to the report by Mr. Asbjørn Eide and Mr. Chama Mubanga-Chipoya, entitled Conscientious Objection to Military Service (United Nations publication, Sales No. E.85.XIV.1), submitted to the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its thirty-sixth session, taking into account information from Governments and non-governmental organizations and any further information available to him. The Commission decided to consider this matter further at its fifty-third session under an agenda item with a new title: "The question of conscientious objection to military service". The Commission will have before it the report of the Secretary-General prepared pursuant to that resolution (E/CN.4/1997/99).

Item 24. Indigenous issues

173. In its decision 1996/102, the Commission on Human Rights decided to add a new agenda item, entitled "Indigenous issues", to its provisional agenda.

174. In its resolution 1995/32, the Commission decided to establish an open-ended inter-sessional working group of the Commission with the sole purpose of elaborating a draft declaration, considering the draft contained in the annex to Sub-Commission resolution 1994/45, entitled "draft United Nations declaration on the rights of indigenous peoples". In its resolution 1996/38, the Commission recommended that the working group meet for 10 working days and submit a progress report to the Commission at its fifty-third session. The Economic and Social Council approved that decision in its resolution 1996/23.

The Working Group met from 21 October to 1 November 1996. The Commission will have before it the report of the Working Group on its second session (E/CN.4/1997/102).

175. The General Assembly, in its resolution 48/163 of 21 December 1993, proclaimed the International Decade of the World's Indigenous People commencing on 10 December 1994. In its resolution 50/157, the General Assembly adopted the Programme of Activities for the International Decade of the World's Indigenous People as contained in the annex to the resolution and requested the Secretary-General to report on progress made at the national, regional and international levels to the General Assembly at its fifty-first session (see A/51/499). The Commission on Human Rights, in its resolution 1996/39, invited the High Commissioner for Human Rights to report to it at its fifty-third session. The Commission will have before it the report of the High Commissioner (E/CN.4/1997/101).

176. The Commission on Human Rights, in its resolution 1996/41, requested the Working Group on Indigenous Populations at its fourteenth session to give priority consideration to the possible establishment of a permanent forum for indigenous people and to report, through the Sub-Commission, to the Commission at its fifty-third session. It also requested the Secretary-General to provide the Commission with a report on the activities undertaken and information received in pursuance of the resolution. The Commission will have before it the report of the Working Group (E/CN.4/Sub.2/1996/21) and the report of the Secretary-General on the possible establishment of a permanent forum in the United Nations for indigenous people (E/CN.4/1997/100).

177. At its forty-eighth session, the Sub-Commission adopted resolutions 1996/31 (Discrimination against indigenous peoples), 1996/32 (United Nations Voluntary Fund for Indigenous Populations and Voluntary Fund for the International Decade of the World's Indigenous People), 1996/34 (International Decade of the World's Indigenous People), 1996/35 (Permanent forum in the United Nations for indigenous people), 1996/36 (Religious freedom of indigenous peoples), 1996/37 (Protection of the heritage of indigenous people) and 1996/38 (Study on indigenous land rights), and decision 1996/118 (Study on treaties, agreements and other constructive arrangements between States and indigenous populations).

178. The attention of the Commission is also drawn to draft decisions 7, 8, 9, 10, 11 and 12 relating to indigenous issues, recommended to the Commission for action, contained in chapter I of the report of the Sub-Commission on its forty-eighth session (E/CN.4/1997/2-E/CN.4/Sub.2/1996/41).

Item 25. Draft provisional agenda for the fifty-fourth session of the Commission

179. Rule 9 of the rules of procedure of the functional commissions of the Economic and Social Council provides that, at each session of the Commission, the Secretary-General shall submit a draft provisional agenda for the Commission's subsequent session, indicating in respect of each agenda item the

documents to be submitted under that item and the legislative authority for their preparation, in order to enable the Commission to consider the documents from the point of view of their contribution to its work and of their urgency and relevance in the light of the current situation.

180. The Commission will have before it, before the conclusion of the fifty-third session, a note for its consideration containing a draft provisional agenda for its fifty-fourth session, together with information concerning the corresponding documentation (E/CN.4/1997/L.1).

Item 26. Report to the Economic and Social Council on the fifty-third session of the Commission

181. Rule 37 of the rules of procedure provides that the Commission shall submit to the Council a report, which shall normally not exceed 32 pages, on the work of each session containing a concise summary of recommendations and a statement of issues requiring action by the Council. It shall as far as practicable frame its recommendations and resolutions in the form of drafts for approval by the Council.

Annex

LIST OF THEMATIC AND COUNTRY SPECIFIC PROCEDURES OF THE COMMISSION ON HUMAN RIGHTS (PREPARED IN ACCORDANCE WITH COMMISSION RESOLUTION 1996/46)

Country specific procedures

Afghanistan	Mr. Choong-Hyun Paik (Republic of Korea)	Special Rapporteur
Burundi	Mr. Paolo Pinheiro (Brazil)	Special Rapporteur
Cuba	Mr. Carl J. Groth (Sweden)	Special Rapporteur
Equatorial Guinea	Mr. Alejandro Artucio (Uruguay)	Special Rapporteur
Iraq	Mr. Max van der Stoel (Netherlands)	Special Rapporteur
Iran (Islamic Republic of)	Mr. Maurice Copithorne (Canada)	Special Representative of the Secretary-General
Myanmar	Mr. Rajsoomer Lallah (Mauritius)	Special Rapporteur
Palestinian territories occupied since 1967	Mr. Hannu Halinen (Finland)	Special Rapporteur
Rwanda	Mr. René Dégni-Seguí (Côte d'Ivoire)	Special Rapporteur
Sudan	Mr. Gáspár Bíro (Hungary)	Special Rapporteur
Territory of the former Yugoslavia	Ms. Elisabeth Rehn (Finland)	Special Rapporteur
Zaire	Mr. Roberto Garretón (Chile)	Special Rapporteur

Thematic procedures

Contemporary forms of racism, racial discrimination and xenophobia	Mr. Maurice Glèlè-Ahanhanzo (Benin)	Special Rapporteur
Extrajudicial, summary or arbitrary executions	Mr. Bacre N'diaye (Senegal)	Special Rapporteur

Freedom of opinion and expression	Mr. Abid Hussain (India)	Special Rapporteur
Independence of judges and lawyers	Mr. Param Cumaraswamy (Malaysia)	Special Rapporteur
Internally displaced persons	Mr. Francis Deng (Sudan)	Representative of the Secretary-General
Mercenaries	Mr. Bernales Ballesteros (Peru)	Special Rapporteur
Religious intolerance	Mr. Abdelfattah Amor (Tunisia)	Special Rapporteur
Sale of children, child prostitution and child pornography	Ms. Ofelia Calcetas-Santos (Philippines)	Special Rapporteur
Special process dealing with missing persons in the former Yugoslavia	Mr. Manfred Nowak (Austria)	Expert
Torture and other cruel, inhuman or degrading treatment or punishment	Mr. Nigel Rodley (United Kingdom of Great Britain and Northern Ireland)	Special Rapporteur
Toxic wastes	Ms. Fatma Zohra Ksentini (Algeria)	Special Rapporteur
Violence against women, its causes and consequences	Ms. Radhika Coomaraswamy (Sri Lanka)	Special Rapporteur
Working Group on Arbitrary Detention	(Chairman: Mr. Louis Joinet (France))	
Working Group on Enforced or Involuntary Disappearances	(Chairman: Mr. Ivan Tosevski (The former Yugoslav Republic of Macedonia))	

<u>Technical cooperation programme</u>

Cambodia	Mr. Thomas Hammarberg (Sweden)	Special Representative of the Secretary-General
Guatemala	Ms. Mónica Pinto (Argentina)	Independent expert

Haiti	Mr. Adama Dieng (Senegal)	Independent expert
Somalia	Ms. Mona Rishmawi (Jordan)	Independent expert

"1503 procedure"

Armenia/Azerbaijan	Mr. Hugh Templeton (New Zealand)	Independent expert
Chad	Ms. N'Douré M'Bam Diarra (Mali)	Independent expert

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